

**Community Preservation Act Committee (CPAC) Meeting Minutes**  
**Tuesday, February 26, 2008**

**CALL TO ORDER:** The meeting was called to order by Peter Jessop at 6:10 p.m. in the Town Room of Town Hall

**COMMITTEE MEMBERS IN ATTENDANCE:**

Liv Baker, Denise Barberet, Louis Greenbaum, Peter Jessop, Chair, Vladimir Morales (arrived 7:00), Vince O'Connor, Vice Chair (arrived 7:19), Mary Streeter, Clerk

**COMMITTEE MEMBERS ABSENT:** Kimberley Broderick, Stan Ziomek

**STAFF / OTHERS IN ATTENDANCE:**

Sonia Aldrich, Comptroller, David Ziomek, Director of Conservation and Planning, Jonathan Tucker, Planning Director, Linda Chalfant, LSSE, Rob Kusner, Select Board, Jim Wald, Historical Commission Chair, Roy Rosenblatt, Director of Community Services, Carol Gray, Charles Traitor, Town Meeting members, woman from Unitarian Society

**AGENDA**

- Introductions
- Proposal presentations
  - 6:10 LSSE Commission
  - 6:30 Conservation Commission
  - 6:50 Amherst Historic Commission
  - 7:10 Affordable Housing
- Discuss proposals and funding
- Review minutes
- Set agenda for next meeting
- Adjourn

**Announcements:**

**Peter:** Our next meetings will be Tuesday, March 11 and 25 at 6pm in the Town Room.

**DISCUSSION**

**Financial Status**

Peter referred to page 2 of the packet. We have \$447,718 available. We had set aside \$150,000 so we could have \$597,718, The \$150,000 is actually available and could be used at our discretion. Otherwise the numbers are the same as last time.

**6:10 LSSE Commission Proposal**

Linda Chalfant shared the LSSE proposal that requests funds for appraisals. She emphasized the need to use some research tools such as appraisals and wetlands delineations to assess land value for acquisition. She discussed loss of recreation land due to expansion of University dorms and restrictions on use of new playing fields. LSSE would like to use due diligence funds for projects that combine park and recreation land, passive and active recreation, especially parcels near schools. She stated LSSE's highest criteria would be near underserved populations or near bike trails.

Louis said he believes after reading the Kopelman and Paige memo that CPA funds could not be used for this purpose unless there was a definite parcel. Louis read one paragraph from the memo and Peter read another that seemed to lead to different conclusions about whether funds could be used. Linda said there are allowances for administrative funds. She will research funds to assess. Dave Ziomek said the Master Plan speaks to the need to acquire new fields. He said without this money, you can't go out and prospect at all. Prior to CPA the Town had funds approved by Town Meeting for things like this. Denise asked to see an inventory of all the park & recreation land. Linda said the Open Space & Recreation Plan is almost done. Rob Kusner said there are land trusts to help with purchase of conservation land and asked if Linda has sources like that. Linda said there's the Friends of Amherst Recreation, which is a 501C3. Peter offered to check with Town Counsel to see if funds can be used for this purpose.

## 6:45 Open Space Proposal

Dave Ziomek pointed out various Agricultural Preservation Restrictions (APR's) and Conservation land on a map labeled "Required map #5". He said all of these were done with due diligence costs. He will be coming back on March 11 for a more robust presentation.

The Conservation Commission recommended 2 projects plus \$20,000 for due diligence. They request \$100,000 for the Tietjen property APR in South Amherst which is 38 acres off South East Street and they voted \$35,000 toward the Nielsen property and the final vote is \$2,500 for an appraisal to be matched by the South Amherst Conservation Association. Questions were asked about past projects. Dave said for the Cows APR, the owner gets \$455,000, which gives the Town the development rights. The owner retains the land in fees. The land can be resold by the farmer. Taxes are still paid on APR land.

Carol Gray said her original request was for \$150,000. The parcel has not yet been appraised. The owner has said he's a willing seller at the right price. The urgency is here. Scott Nielsen went to the ZBA. He originally wanted 24 units; the court said the most he could build would be 17 units. This used to be the old dairy farm owned by the Rock family. It's next to the Rail Trail. On a map she pointed to all the properties that are protected land and stressed the importance of preserving the beautiful wilderness view from the Rail Trail. The old farm trail – Brickyard Conservation Area – is used by hunters, skiers, dog walkers. Land is used for farming, haying. It serves a broad group of users. It is a Designated Wildlife Habitat. There's a certified vernal pool. It has wetlands. Across from there, wood turtles have been spotted.

Peter asked about the considerable gap between the \$35,000 recommended by the Conservation Commission and \$150,000 Carol requested. Carol said there are a number of different funding sources. The South Amherst Conservation Association has \$43,000 in pledges. The Town could apply for a Self-Help Grant or even an Urban Self-Help Grant. The additional lot that was purchased could be sold for part of the purchase price or used for affordable housing. Peter said it's up to the Conservation Commission to flesh this out. Rob said he was speaking as an individual, and a member of the Norwottuck Rail Trail Committee. He spoke with Rep. John Olver. There may be a reexamination of the whole Rail Trail to create additional access. The Department of Conservation & Recreation (DCR) and Dept of Transportation are discussing places in Hadley & Hampshire County which might benefit from further access and this could be another piece.

Vince asked about the Tietjen APR request going from \$65,000 to \$100,000. Dave Ziomek said the Town is acquiring part and there is an APR part. He will give a more in depth presentation next time.

## 7:15 Amherst Historic Commission Proposal

(Jonathan Tucker distributed the latest Historical Commission proposal.)

The **Unitarian Society** wants funds to preserve 2 stained glass windows. They will restore and reinforce the windows and put a protective covering over them.

**Archival documents** – The current funds are exhausted for document preservation. They are asking for \$10,000 to continue preservation. Staff has informed the Historical Commission that CPAC funds will not finance historical publications. \$13,411 will be rescinded. Mary asked if preserved documents could be made into CD's and available over the Internet. Jonathan Tucker said two sets of originals have been conserved - the Town Clerk's documents and some maps from Special Collections at Jones Library. For archival – they're making microfilm copies because that's the industry standard – it lasts 100 years. There is a desire to have these on CD's. In some cases it's possible and in some cases it's difficult. There's an on-going discussion. Jim Wald said now they are focusing on preserving nitrate-based films. They've scaled back the request from \$20,000 to \$10,000. Vince asked if the videotapes of Town Meeting and Select Board are being preserved? Jim said Tevis Kimball talked with IT and ACTV about that.

The **Women's Club** is asking for a very small portion for a roof. Jim said the Women's Club has a public face, limited resources, and is in need of repair. The Women's Club and the Unitarian Society have provided detailed budgets and they are requesting a small part of the costs. Vladimir asked if the Women's Club

might come back again with another request? Jim said yes. Jonathan said private non-profit organizations who are doing projects, can only bite off a bit at a time. Jim said if the Town thinks it's important, it helps them to get fundraising. Vince commented that the slate roof would be replaced with asphalt shingles and therefore the historical features aren't being preserved.

**Hills House on Main Street** - Louis said he hasn't been part of the Hills House discussion because he is an abutter. Jim Wald directed us to page 4 of the handout. The 2 Hills properties on Main Street are significant and occupy a key piece of land that is important. There are 4 mansions (2 Hills and 2 Dickinson) that belonged to 2 prominent Amherst families. The Women's Club is under the ownership of an organization and the Boys' and Girls' Club was. That property has been divided into 6 lots. These houses were built to be seen. The law allows lots to be divided. Lot 5 is where the house from Kendrick Park is now. What is endangered is the view and landscape. The new owners have the right to do as they see fit with these lots. The Chapin-Ward House from Kendrick Park is on Lot 5. Tuttle House from South East Street will go on Lot 3. The Potvin House from Spring Street will go on Lot 4. What the developers say they are doing is preserving historic structures. It's not ideal but it preserves 3 historic structures and keeps it open. Jonathan said both houses are the same Greek Revival style except in scale. The alternative is a simple one. We have to save those 2 lots on Main Street or risk what the developers might do.

Jonathan said the asking price is \$200,000 per lot and has been verified by the assessor as a valid price for this area. There would be a formal appraisal. He said the 2 new owners own all of the lots. He said one of the partners specializes in restoring historic homes. They plan to fix them up and sell them. Vince asked if the Town would get a historic preservation restriction for the exterior of the homes. Part of the acquisition of these lots is a historic restriction on lot 3 and lot 6 to prevent plastic play structures, or fences. They've begun to clear some of the hedge, which will open up the view more than it has been for decades. This area was developed to be "wide open and grand" including Sweetser Park. They are all of a piece and the eastern gateway to the Town Center.

Mary said she attended the Historical Commission meeting the previous night and was shocked at the force being used by one of the owners who said they have a huge mortgage at a high rate of interest and they may have to build vinyl clad ranches in the 2 front lots if the Town doesn't buy them. Jim Brassard of Amherst College said they need a decision soon because they want to move the houses while the ground is still frozen. Vince said this is one of the worst proposals ever to come before the CPA Committee. It's Amherst College that suffers the loss to the Dickinson Museum.

Peter and Liv suggested that Jim or someone talk to Amherst College representatives about splitting the costs. Jim explained that his wife is the Director of the Emily Dickinson Museum and that it's a non-profit run by Amherst College. Denise commented that the view that you see when you stand on the corner of Gray and Main is already gone. Jim said the original lots were largely open. The trees they took down were junk trees. The Women's Club is concerned. The Dickinson House wasn't surrounded by hedges. We have to be careful not to impose our 20<sup>th</sup> century values of intimacy. There was a lot of tension at the Historical Commission meeting. Members asked to have the houses put further north but the owners weren't going to commit to that.

Peter summed up by saying there are concerns about this project - might there be another source of funds; what are priorities; and there's a question of future use. Mary said that Amherst College and the owners are using extraordinary pressure to get a quick decision. She asked for minutes from last night's Historical Commission meeting. Jonathan said the minutes would be available before our next meeting.

### **8:25 Affordable Housing Proposal – Roy Rosenblatt**

Roy Rosenblatt said the Housing Partnership Committee has learned that support to an individual is not an eligible use of CPA money. It must be used to create new housing. He discussed the complications related to the Olympia Drive project and said they might apply for a friendly Comprehensive Permit. Zoning wouldn't be a problem then. Habitat money is still being requested.

Vince commented that he could support a friendly 40B with respect to frontage issues, but he does not want to see density increased beyond 30-40 units. There also needs to be a playground. Roy said the timeline for this project might include one year for planning and getting permit, 1 year for funding, and 1 year building, for a total of 3-4 years.

### **Next Committee Meeting Dates**

Peter said we've asked for information for Tuesday, March 11 at 6:00 pm. Our goal is by March 25 to make recommendations. March 11 will be more of a free wheeling discussion. We will also have a discussion of the surcharge and the Kopelman and Paige memo.

Next Meetings - Town Room, second floor 6:00 p.m.,  
Tuesday, March 11, 2008  
Tuesday, March 25, 2008

**ADJOURNMENT** at 9:05 PM. Voted unanimously.

### **DOCUMENTS DISTRIBUTED**

- Agenda
- Financial Status for CPAC Funds
- Housing Partnership CPA Funding Request 2/22/08, 2 pages
- FY09 CPA Historic Preservation Projects 1/18/08, 4 pages
- FY09 CPA Historic Preservation Projects 2/25/08, 6 pages (incl. Map and photos)
- LSSE FY09 Proposal 2/7/08
- Criteria for Future Park and Recreation Land Acquisitions, 1 page

Respectfully Submitted by: Mary Streeter, Clerk  
Minutes Approved: 5/14/08